

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

**P.A.,
By and through her Next Friend,
Teresa Allen**

AND,

**K.E.,
By and through her Next Friend,
Kelly England,**

Plaintiffs,

v.

**SENECA R-VII SCHOOL DISTRICT &
BOARD OF EDUCATION, et al.,**

Defendants.

Case No. 3:10-CV-03523

DEFENDANTS' RESPONSE TO PLAINTIFFS' DISMISSAL WITH PREJUDICE

Defendants Seneca R-VII School District & Board of Education, Joe Caputo, Wayne Blaylock, Britt Burr, Tosha Fox, Gary Little, Richard Cook, Teryl Malone, David Pickering and Roger Robertson (collectively "Defendants"), by and through undersigned counsel, provide this Response to Plaintiffs' Dismissal with Prejudice.

All Defendants agree to this Dismissal with Prejudice. The Defendants have not compensated the Plaintiffs in conjunction with this dismissal, but rather, have permitted the Plaintiffs to dismiss this matter with prejudice to its re-filing.

Respectfully submitted,

Case & Roberts P.C.

s/ Randi L. Helms

Kevin D. Case, MO 41491; KS 14570
Randi L. Helms, MO 60523; KS 23960
Two Pershing Square
2300 Main Street, Suite 900
Kansas City, MO 64108
Tel: (816) 448-3707
Fax: (816) 448-3779
kevin.case@caseroberts.com
randi.helms@caseroberts.com
Attorneys for Defendants

Certificate of Service

I hereby certify that on May 2, 2011, a true and correct copy of the above and foregoing was served by electronic filing with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorney of record:

Jason A. Shackelford, J.D.
The Law Office of Jason Shackelford, P.C.
Country Club Professional Suites
1399 East Highway 22, Suite B
P.O. Box 142
Centralia, MO 65240
Attorney for Plaintiffs

s/ Randi L. Helms

Randi L. Helms